

1 RENE L. VALLADARES
Federal Public Defender
2 Nevada State Bar No. 11479
BRIAN PUGH
3 Assistant Federal Public Defender
411 E. Bonneville, Ste. 250
4 Las Vegas, Nevada 89101
(702) 388-6577/Phone
5 (702) 388-6261/Fax
Brian_pugh@fd.org

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7 Attorney for Richard Whittaker

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9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 RICHARD WHITTAKER,
15 Defendant.

Case No. 2:16-mj-455-GWF

**STIPULATION TO CONTINUE
PRELIMINARY HEARING**
(First Request)

16
17 IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden,
18 United States Attorney, and Elhan Roohani, Assistant United States Attorney, counsel for the
19 United States of America, and Rene L. Valladares, Federal Public Defender, and Brian Pugh,
20 Assistant Federal Public Defender, counsel for Richard Whittaker, that the Preliminary Hearing
21 currently scheduled on July 12, 2016 at 4:00 p.m., be vacated and continued to for fourteen (14)
22 days, to a date and time convenient to the Court.

23 This Stipulation is entered into for the following reasons:

- 24 1. The parties have initiated discussions regarding resolving the case pre-
25 indictment.
26 2. Parties agree to the continuance.

1 3. Defendant is incarcerated and does not object to a continuance.

2 4. Additionally, denial of this request for continuance could result in a miscarriage
3 of justice.

4 5. The additional time requested herein is not sought for purposes of delay, but to
5 allow for a potential pre-indictment resolution of the case.

6 6. The additional time requested by this stipulation, is allowed, with the
7 defendant's consent under the Federal Rules of Procedure 5.1(d).

8 7. This is the first request for continuance filed herein.

9 DATED this 7th day of July, 2016.

10
11 RENE L. VALLADARES
12 Federal Public Defender

 DANIEL G. BOGDEN
 United States Attorney

13 /s/ *Brian Pugh*
14 By _____

15 BRIAN PUGH
 Assistant Federal Public Defender

 /s/ *Elham Roohani*
 By _____

 ELHAM ROOHANI
 Assistant United States Attorney

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 RICHARD WHITTAKER,

7 Defendant.

Case No. 2:16-mj-455-GWF

ORDER

9
10 Based on the Stipulation of counsel and good cause appearing,

11 IT IS THEREFORE ORDERED that the Preliminary Hearing currently scheduled on
12 July 12, 2016 at the hour of 4:00 p.m., be vacated and continued to July 26, 2016 t the hour
13 of 4:00 p.m.

14 DATED this 11th of July, 2016.

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17 UNITED STATES MAGISTRATE JUDGE